

**Steering Committee Minutes
December 4, 2004**

Steering Committee Members

Margarette Morgan	Bonsall
Bill Collins	Borrego Springs
Donna Tisdale	Boulevard
Larry Johnson	Campo/ Lake Morena
Jack Vandover	Crest / Dehesa/ H.C.
Michael Sterns	Descanso
Jim Russell	Fallbrook
Shirley Fisher	Jacumba
Dan Neirinckx	Jamul / Dulzura
Woody Barnes	Julian
Rick Smith	Lakeside
Gil Jemmot	Twin Oaks
Terry Glardon	Pine Valley
Pat Uriell	Ramona
Lois Jones	San Dieguito
Louis Schooler	Tecate
Jack Phillips	Valle de Oro
Sandy Smith	Valley Center

Planning Commissioner

Bryan Woods

Staff

Ivan Holler, Deputy Director
Tom Harron, County Counsel
Rosemary Rowan, Regional Planner
Neal LaMontagne, Planner
Dixie Switzer, Planner
Stephanie Gaines, Planner

Public

Mike McLeod
Dutch VanDierendonck
Jan VanDierendonck
Tracy Morgan Hollingsworth
Cheryl Lenz
Charlene Ayer
Andy Washburn
Henry Palmer
Walter Kirkwood
Mark Turvey
Ed Duling
Tom Burton
Jeff Scrape
Ron Pannock
Paul Grandi
Sharon Grandi

Meeting commenced at 9:04 a.m.

INTRODUCTIONS

I ACTION ITEM: Minutes

- Meeting Minutes: Motion to approve Jack Phillips, 2nd Andy Washburn. Discussion Pat Uriell: item four, not stated that this only affects communities with town centers. Rowan, see Page 3, defined as being in the village core, technically this is true. Woods asked to clarify the point. Uriell clarified the statement that “should be in town centers” should be in the meeting minutes. Holler Asked if he was making a distinction between village core and town center? Uriell stated, Would have voted against it, requested to add sentence “*only affects communities with town centers*”. Also, the thing with agricultural is vague, doesn’t remember what happened. Referred to last page, doesn’t remember voting against it.

Woods: called for vote, 5 abstentions, motion carried.

II ACTION ITEM: Designations on Commercial

- Rosemary Rowan reviewed commercial and industrial designations in land use framework.
- Schooler: A Tecate business wanted to open a sales/ceramics, typically outdoors in commercial zone, what hoops would they jump thru to do that? Rowan: Outdoor commercial would be a good fit, updated zoning needed, today would require MUP. Schooler: Asked if zoning would be different. Rowan: Yes.
Holler: We’re proposing a new designation and zone, suggests a zone to accommodate these types of businesses that were described. A more specific zone that would not necessarily be applied across the board. Woods: Asked to describe good examples of outdoor uses, e.g.: Feed stores, irrigations supplies. Holler: Examples, ag supplies, masonry, gravel, sand, etc. Schooler: Concerned that Tecate is different, don’t want thresholds that are too high, while not creating junkyards there. Russell: Asked where irrigation houses for outdoor should be located, should be outside town center. Holler: Being proposed now, doesn’t see Fallbrook using this. Creating unique zone types would be an easier solution. Jones: Would MUP would be required? Rowan: No, not if zone is applied, the uses would be allowed by right as part of zone. Jones: Would zone be applied? Rowan: If a community chose to do that. Jones: Can you “pepper” in general commercial area? Rowan: It wouldn’t place in one single area, a choice community would make. Jones: Would use stay until MUP expires? Can it be renewed in same spot? Holler: Typically no expirations on MUP’s, there are conditions. Should be reviewed individually.
- Phillips: Need General Plan designation that ensures pleasant use. Saying MUP process is equal to or less than zoning process is naïve, when use goes away, then it’s back to enclosed General Commercial. Harron: No, MUP goes with the land. Phillips: Concern on impacts it would have on neighbors, concern over heavy use/maintenance. Suggests expanding definition for general commercial, and understand there County does not have control over lease ownership. Woods: Asked staff to respond. Rowan: Good point, the zone needs to be applied carefully and to an area where the community agrees is an appropriate area for uses to occur, not on a site-by-site basis.

This is what a rezone process should be about. Phillips: South Spring Valley was in (VDO) jurisdiction, there is no prohibition on spot rezone requests, trying to protect quality businesses.

- Harron: Spot zoning is illegal, was probably done previously by a MUP, a zone for particular parcel that allowed e.g.: outdoor storage. Holler – if General Plan designation on property that has outdoor use today, a higher/better use might be another type of commercial. It's hard for a community to change the use at General Plan level, wants to handle it at the zoning level. Acknowledges they have a fundamental disagreement of where this belongs. Phillips: Degrading the current General Plan designation to allow General Plan acceptance that it doesn't allow now. Holler: Understands point, disagrees. Phillips: (Staff is) Making a serious error, need another designation. Holler: Disagrees, other communities will find a use for this. Harron: Commented - We are at the General Plan stage, the comments are directed to zoning. If you want to do something with the General Plan, use criteria or goals to allow or disallow. "Peppering" is like spot zoning. Will have control at the zoning level. Phillips: I want control at a General Plan level. Harron: Trying to put specific criteria in General Plan level. Phillips: MUP's appropriate in those cases. Woods: Your point is well taken, moving on. Rowan: Important to point out if handled in zoning, you don't have to put in your community. It's important to keep flexibility in the General Plan. In smaller communities it would be a spot zone, because that's all you want.
- Jones: Asked how to control outdoor commercial. Rowan: Outdoor commercial business are allowed there by right. Asked how to differentiate? Holler: By writing what's in the zone. Rowan: what you're describing is this zone and what we got rid of in service commercial – more industrial type use – not appropriate in commercial designation. Jones: how would it be used? Rowan/Holler would not be allowed to be used. Holler now at finer level of detail. Jones wants to understand how controls will be used. Woods when at that level you have definitions what is/is not allowed. Jones need to put in "what's NOT allowed". Holler we can resolve that. Woods that is exposure at every level of zoning. Sandy Smith we have existing business – struggling with that – can stay or in future can be changed with MUP. Rowan talking about Town Center. Can get very specific. Sandy Smith where is that written? Where are the teeth? Woods that is the next step. Harron written in ordinance. Rowan appropriate location in community plan – expresses individuality for each community. Sandy Smith present the broad map, in our case it's blank... issue of screening non-conforming use. Holler next agenda item will address some of these items – what might be allowed, etc... we have assembled potential uses – non-conforming use can continue – screening – talk with council.
- Neirinckx problem with applying in general – more concerned about specifics – if we find it doesn't work – we need to feel that we can come back. Rowan Rural Commercial? Neirinckx any commercial. Holler valid concern, next item talks about some uses that might be associated with that. Uriell agree with Valley Center – Tower Center part is where it is – don't want it somewhere else – anticipate outdoor commercial applied in Ramona Town Center or some other are – to me more of a light industrial use – what about a nursery? Outdoor commercial (yes). Holler would rather work with community to determine where it would be appropriate – if wanting it in Town Center – that is a reasonable change that could be incorporated – not the type used on a "main street" – maybe on fringes, side streets – if that's the consensus of group that's fine. Uriell could be on black spot on map (special study area). Woods There are several areas. Holler point is – if that is the desire, then can be accomplished. Morgan spot veggie stands – considered outdoor? Holler no that's a different issue, permitted in a different way. Morgan What about "blue tarps"? Holler/Woods different issue. Morgan Want to discuss in future...Woods sure.

- Woods is everyone as confused – can it be used selectively in each community? Rick Smith as an individual – no problem as zone or land use designation – current planning ground position – looking at the designation not zone – doesn't have a clue until we have some zones – asked specifically if zone would be the same – said “no” – don't tell me what land use designation you're trying to develop – tell me what you're going to do based on what I'm going to have on the ground. Woods zoning level defines community creating different tools for some to use/some not to use. Rick Smith tell me what you want to see in a particular area – we'll take what's appropriate and go from there... Wed's went through Town Center – no change – have one area that is service commercial – depends on what happens with GP2020 – whatever is appropriate will go there. Rowan one of main uses is construction sales and services – that is one of uses that we have identified in outdoor commercial – some uses that used to be allowed in service commercial should be in and industrial area – that is the distinction. Also trying to give you ways to use without high end uses because it's located next to a residential neighborhood. Where zone or designation is different issue – would rather have as zone. Woods next discussion on different types of commercial – lets review then decide if we want to take an action on this. Rick Smith curious – proposed outdoor zone (not designated) still down the road – why formal position? Holler don't have to – reason – to give another tool to use (Smith) brought forward to say “yes” want the tool, if want more input of uses within zone – we can do that too. Rick Smith needs to be done when we do zoning ordinance. Holler Getting ready to do that right now. Neal will present “genesis” of new compatibility matrix. Woods lets get Neal to do this.

III DISCUSSION ITEM: Mixed Use, Compatible (New Compatibility Matrix)

- LaMontagne: Reviewed Compatibility Matrix.
- Sandy Smith: Will zones be in place for those who are permitting now? LaMontagne: Yes, if permitted now, will be permitted in future. Woods: 2020 must be adopted first. Smith: Clarified that “adopted” meant entire plan. LaMontagne/ Rowan: clarified, explaining what exists today, not our proposed compatibility matrix. Staff has not created that yet. There are some existing zones today that we might want to go back and revisit in terms of compatibility. Phillips: Commented General Commercial did not go far enough (e.g.: Possibility that MUP's are required for gas stations?) LaMontagne: It has a lot of sub-categories, this is why it's so tricky. Phillips: Can't/ won't support this definition of general commercial. Holler: Clarified, not a General Plan description, it's a list of potential uses that would be allowed or are allowed today. The relationship may still be required for a gas station. Rowan: We have already voted on the preliminary drafts, referred to General Commercial on page 4. Response to community questions on what is allowed today (typical uses) and what any change down the road is “we don't know”. Only thing proposed to change is outdoor commercial. Holler: Referred to page 15, General Commercial, and page 16, Neighborhood Commercial, the primary difference is scale. Tool to help as you go through different designations. Neirineckx: Change to “general information” not preliminary draft. Glardon: Why exclude “drive-thru's” on neighborhood commercial? LaMontagne: Neighborhood Commercial might be too restrictive, not auto oriented. LaMontagne: Continued discussion of Rural Commercial, Part I - light industrial, some outdoor uses that are accessory, different signage, different parking requirement. Part II allows for more rural uses and is not to be used by larger communities. Example given, Spa or hotel, agricultural related is borderline industrial, may have to deal with it through zoning.

15-minute break commenced at 10:30am

Reconvened- 10:49am

- Woods: Asked to keep questions to 15 minutes. Phillips: Commented that Office Professional is not automatically compatible with eating / drinking establishments, need requirements. Commented that the County doesn't have police, fire, or recreation services to support this type of intensity. Neirinckx: Asked to clarify Rural Commercial, within CWA boundary. Rowan: Clarified it was a guideline, Jamul could be considered. Jones: Asked about timeframe to come back (after taking to our communities)? Holler: Intent is not to come back to the Steering Committee. Staff will start to set up compatibility matrix within next 2 months. Jemmot: Commented how to keep "paintball" out of your community? Woods: Responded, Use Permit. Smith: Asked about split zones. Phillips: Commented, leaves open to conflict, allows residential in Neighborhood Commercial. Incentive to have residential first then add commercial later, could be fairly high density. LaMontagne: Coordinated development between commercial and residential. Would have a maximum density. Rowan: Mixed-use zones allow residential /commercial, can live and have house behind commercial. It might accommodate that situation. Phillips: Commented on the difference between rural and urban communities and their needs, when written it doesn't apply. Rowan: Commented that was a valid point, staff will take into consideration. Schooler: Called for a vote (straw vote). Phillips: Clarified, to be used in general commercial, or as a separate zone? Schooler: Yes, under the general commercial designation.

Result of "Straw Vote"- about 50/50

IV DISCUSSION ITEM: Housing Presentation

Rowan: Housing Presentation

- Palmer: requested copy of presentation and details of how numbers were derived. Woods: Called for questions or comments. Jemmot: Asked to clarify how farm worker housing was counted (as low income, large developments or ones/twos?) Woods: Yes, they add to the mix. Rowan: Suggested we need a method for counting it. Jones: Can you count granny flats and second dwelling units? Switzer: Need to talk with state about housing, to extrapolate that to the future. Holler: Commented that a number of new bills have come forward, we'll be seeing more emphasis from current administration in housing. Woods: Design guidelines, changed to standards, would meet qualifications of community. Tisdale: Asked about developing sewage districts, infrastructure. Rowan: Commented, not in boulevard. Smith: what is the plan to do that? Holler: Commented the County typically is not a "sewer purveyor", but will work with communities. Asked residents in Valley Center if interested in forming a district, which is a multi-step process. County will work with districts to determine boundaries for expansion or making infrastructure available. Russell: Commented that new maps for Passarelle are not going to happen. Jones: Asked where in the process we are now (Housing Element)? Holler: Commented the cycle for certification is the middle of 2005. Staff may not make that date, already discussed with HCD. Jones: Asked about a time extension. Holler: Not sure. Rowan: (The Housing Element) Needs to be approved by state legislature, we already have the extension, now due June 30th 2005. May have draft at that time, but needs to be tied to GP2020. Uriell: Commented that Ramona was in a deficiency. Rowan: Yes, when compared to existing General

Plan. Uriell: Asked about conformance with the General Plan. Holler: Commented we are conforming now. Rowan: Commented certification is taken seriously, many jurisdictions have been sued in the past.

- Harron: Commented, if we do not get certified a defacto moratorium on all approvals will go into affect, no approval is consistent with the General Plan. SANDAG could start withholding money for roads, etc... (\$30 million dollars per year for county) if we don't get the extension or get it done. Uriell: Downtown high rises are affordable? Holler: Commented, you are correct when looking at lands with higher densities. Once built, jurisdiction will have to come back and report that those are not affordable. Smith: Commented that communities could – put density on map and never build it. Rowan: Staff needs to clarify the issue, haven't completely identified what the terms mean. The State is looking for suitable sites, with services available now or in process of getting them. LaMontagne: The report will have to report on the progress, may buy "5 years". Barnes: Are they going to add a 100,000 (units) each time? Holler: The 100,000 is regional share in the County of San Diego. Barnes: Will the County somehow create 100,000 units? Rowan: We don't know the exact number, each 5 years you get another number. Barnes: How do we accommodate the conflict? Holler: overall allocation dependent up on regions growth rate. If growth slows, the rate drops, our General Plan has enough capacity for single-family units, the problem is affordable (very low and low) units. Barnes: Will this be built into the plan as we go along? Holler: We will have to make adjustments, the County is mandated to do that by state law. Barnes: If the community has to absorb it, we should set standards high to alleviate blight in your community. Schooler: What happens in legal sense, does this (Prop S) override. Harron: The consequences if we don't take action are loss of state funding. Possible to get prop S changed, city council cannot change initiative unilaterally. Jemmot: large projects with low-income housing. Rowan: Clarified, we're talking about multi-family housing, doesn't have to be "low income". Woods: (Higher density) is the State's general approach to housing. Jemmot: Asked (e.g. Stonegate) what happens if project doesn't go through? Woods: If approved, 2500 units would be put on the map. Holler: According to the Dutra bill, if not built at those densities the County must find other land to designate. Jemmot: Does the density stay attached to the property? Holler: New legislation for everyone. Jemmot: Asked about low density that annexes (into a community)? Rowan: The County would credit the land at the time. LaMontagne: Lands have gotten out of this by under building land. Smith: Asked about the range of densities with the State, will be a set number or percentage at density? Will we have that option? Rowan: Commented, too early to say, but percentage would not apply to individual communities, would apply countywide. Woods: Commented on advantages for Backcountry communities, e.g.: Boulevard, cannot have multi-family. Smith: fair share at a lower number. Rowan: The number used to be 20. Schooler: What happens if unable to negotiate the lower densities? Holler: We would have to change the framework (won't have 30 du/ac). Rowan: New legislation accommodates rural communities with lower densities. Schooler: What if we don't meet the timeline? Holler: The State is coming here, we'll discuss it with them. Uriell: Commented that new State law will create more, have substantial second dwelling units counting as nothing. Rowan: Must be potential. Need to take a look at trends in the county. Uriell: Commented, he could guarantee there will be more.

- Woods: Called for comments

- Hank Palmer: Commented discussions are ongoing, twin oaks will not be involved, asked to withdraw request for information. Ed Duling: Commented on Circulation Element and expansion of roads, anticipated ROW to anticipate for building. Rod Pennock: Commented that the presentation was one of best he had seen, imperative to look at housing elements. Woods: Added, it's called redevelopment. Holler: We have enough to accommodate for several housing cycles. Tom Burton: (Palomar Mountain planning organization) commented on "super tiny" communities, rural commercial, concerned about the designation that follows under it, need to work. Woods: Commercial / industrial in process, earlier version that might be helpful if something in preliminary form. Holler: Directed to back of land use element, compatibility matrix.

V ACTION ITEM: Next Meeting

- Woods: Future dates discussed for next meeting, late January or early February. Jones: Commented she would be gone late January. Woods: We'll leave it soft and send out a memo.

Meeting adjourned (12:00pm)